

VOTE FOR ANNEXATION AND EXTEND ROCK ISLAND FROM RIVER TO RIVER

FRANK LOSES
HIS PLEA; TO
DIE A SLAYERFederal Supreme Court Re-
fuses to Intervene in the
Atlanta Case.

YOUNG GIRL MURDERED

Mary Phagan, 14, Employed
by the Convicted Man,
Strangled to Death.Washington, D. C., April 19.—The
federal supreme court today decided
against Leo M. Frank in his habeas
corpus case. Justice Pitney delivered
the opinion. The court concluded:[In all the proceedings in the courts
of Georgia the fullest right and op-
portunity to be heard according to es-
tablished modes of procedure have
been accorded to him.]Frank is under sentence of death in
Atlanta for the murder of Mary Phagan,
14-year-old factory girl, in April,
1913. She was employed in the National
Pencil factory, of which Frank was
at the time superintendent.In the decision, to which Justices
Holmes and Hughes dissented, the
court dismissed Frank's appeal from
the federal court of Georgia, which
refused to release him on a habeas
corpus. Frank contended that "all
of his rights" at his trial, and the
fact he was absent from the court
when the jury returned the verdict
had removed him from the jurisdic-
tion of the courts of Georgia. The
majority opinion of the supreme court
rejected all these contentions and
declared Frank enjoyed all his legal
rights in the Georgia courts.Holmes based his dissent largely on
the ground that the finding of a
supreme court on the existence of such
violence at a trial is not binding on
the federal supreme court as was held
in the majority. He said he saw no
reason for adopting a stricter rule in
criminal appeals than in civil appeals
and held where questions of law and
fact were intermingled in civil cases,
as here, the federal supreme court
must review a state court's finding of
fact.Looking at the facts in the case.
"The single question in our mind,"
Justice Holmes, "is whether the trial
took place in the midst of a mob savagely
and manifestly intent on a single result is
shown on its face unwarranted by the
specifications which may be pre-
sumed to set forth the strongest in-
dications of the fact that the petition-
er's command. We must look the
facts in the face. Any judge who has
sat with juries knows that in spite
of facts they are extremely likely to
be impregnated by an atmosphere
of passion. And when we find the judge
of an expert on the spot, of a
judge whose business it was to pre-
serve not only form but substance, to
have been that if one jurymen yielded
to reasonable doubt that he himself
later expressed in court as a result
of the most anxious deliberation,
whether prisoner nor counsel would be
safe from the rage of the crowd, we
think the presumption overwhelming
that the jury responded to the pas-
sions of the mob. Of course we are
speaking only of the case made by
the petition, and whether it ought to
be heard."It is believed only state pardon
officers of Georgia can now save Frank
from the death penalty.DAUGHTERS FIGHT
OVER PRESIDENCYFive Thousand Delegates at Opening
of 24th Congress of Women in
National Capital.Washington, D. C., April 19.—Five
thousand delegates from all parts of
the country were in attendance today
at the opening of the 24th annual con-
gress of the Daughters of the American
Revolution. President Wilson's
address of welcome and the annual
message of the president general, Mrs.
William Cummings Story of New York,
will be followed by a sharp contest
over office which will reach a climax
in the election Wednesday. All offi-
ces will be filled in the biennial elec-
tion this year, but of overshadowing
interest is the contest on the election
of a president general of the congress,
apparently divided in two factions, one
supporting Mrs. Story, the other Mrs.
George Thatcher Guernsey of Kan-
sas.Frank and them if Frank should not
be convicted.Immediately upon conviction Frank's
attorneys made an ordinary motion
for a new trial, giving 100 grounds.
With the motion were affidavits that
one of the jurors had said before the
trial that he was on the jury be-
cause he "would hang that Jew sure." Judge
Rosen denied the motion, and the Geor-
gia supreme court affirmed his action
on Feb. 17, 1914.An extraordinary motion for a new
trial was made on several grounds,
among which was that of newly dis-
covered evidence. That was denied
by the trial court on May 6, 1914, and
the supreme court of Georgia affirmed
the action. On Oct. 14, 1914, Frank's
attorneys made a motion in the trial
court to set aside the verdict on the
grounds that the trial court had lost
jurisdiction over him by reason of
mob violence manifested during his
trial and by reason of his absence
from the court room, along with his
counsel, when the jury returned its
verdict. That motion was denied and
the Georgia supreme court affirmed
that action on Nov. 14, 1914.Deny Petition for Writ of Error.
To review that action, application
was made to Justice Lamar, then
Justice Holmes, and finally the entire
supreme court of the United States,
for a writ of error. All held that the
decision of the Georgia supreme court
could not be reviewed because its ac-
tion was based on grounds of proce-
dure, namely, that the grounds for set-
ting aside the verdict should have
been advanced in the motions for new
trials.Application was then made to Judge
Newman of the federal district court
for northern Georgia for a writ of ha-
beas corpus, claiming that the trial
court had lost jurisdiction over the
prisoner during the trial because of
the alleged mob violence and Frank's
absence from court when the verdict
was returned. On Dec. 21, 1914, Judge
Newman held that to grant the writ
would mean that a federal court
should review the action of the state
courts in a manner not warranted by
the law of the country, and that, too,
after the supreme court of the United
States had decided no federal ques-
tion remained for consideration in the
case. Judge Newman refused to issue
a certificate of "probable cause" for
appeal to the supreme court, but it
was issued by Justice Lamar, and the
case came to the supreme court for
a review of Judge Newman's ac-
tion.Atlanta, Ga., April 19.—"I will keep
up the fight," said Frank.DECISION DELAYED
ON THAW'S PETITIONNew York, April 19.—Supreme
Court Justice Hendrick has reserved
his decision on the application of
trial to determine Thaw's sanity. He
trial to determine Thaw's sanity. He
trial to determine Thaw's sanity. HeDERUTER SUICIDE
OVER WIFE'S LOSSDirector of News Agency Found Dead
in London Home With Revolver
Beside His Body.London, April 19.—Baron Herbert
Deruter, managing director of Reuter's
Telegram company, was found
dead yesterday in his home near Reig-
gate, Surrey. There was a discharged
revolver near the body and authorities
declare there is little doubt that
it was a suicide. He was prostrated
by the death of his wife last Thurs-
day. Her body is still in the home
awaiting interment. Their only son
is in the army. Deruter was 62 and
succeeded to the title upon the death
of his father in 1909. The first baron
was the founder of the Reuter Tele-
gram company, now one of the lead-
ing news gathering organizations of
the world.GERMANS ARE
TO LET UP IN
FRENCH ZONERome Hears Plan to Con-
centrate Energies in
the East.

SIMPLY HOLD IN WEST

Decision Reached at Coun-
cil Presided Over by
Von Hindenburg.London, April 19.—Abandonment
by the German general staff of plans
for a general offensive in France is
inferred in Rome from information re-
ceived there. It is said the decision is
indicated by official communications
to the Italian cabinet, as well as by
statements of Germans in official cir-
cles, and that hope of penetrating
further into French territory has been
put aside.A dispatch from Geneva gives the
impression the Austrians and Ger-
mans have decided to concentrate
their energies on the eastern cam-
paign, and it is asserted that at a
council of war presided over by Field
Marshal von Hindenburg it was de-
termined to transfer Austrian heavy
artillery now before Verdun to Poland,
and to send back to Carov, western
Galicia, the Hungarian cavalry now
on the western front. The situation
still is to be cleared up.Confident assertions from Berlin
last week that the Russian advance
in the Carpathians had been halted
are offset by claims of the Petrograd
war office that the principal chain of
mountains, comprising a 70-mile sec-
tion of the front, now is in possession
of the Russians, and that 70,000 Aus-
trians have been captured in the last
few weeks. It is said in Petrograd
that the movement toward the inter-
ior of Hungary will be assumed after
the troops are rested and reinforced.
The Austrian war office, however,
maintains the Austro-German forces
have been gaining further victories.Count Evaristo de Romanones, former
premier of Spain, made a public
statement that a "solemn declaration"
should be made by Spain to show
where her sympathy lies in the war
without violating her neutrality. He
pointed out that Spain's relations
with the triple entente have been more
and more friendly in recent years.

Berlin Denies Allies' Claims.

Berlin, April 19.—Official: "Lieut-
enant Roland G. Garros, a famous
French aviator, has been made pris-
oner by the Germans at Melun, near
Paris. South of Ypres British were
yesterday ejected from minor German
positions still occupied by them in this
locality. British attacks along the
railroad between Ypres and Comines
were broken down with very heavy
losses to them. Between Mues and
Monsie there have been artillery duels.
French attacks against our positions
at Combrès and in Vosges failed. On
the eastern front the situation is un-
changed. French and British reports
concerning victories on the western
front are all inventions, as is suffi-
ciently proved by regular reports from
German headquarters."Garros is well known in the United
States, having flown in many com-
petitions in this country. Since the
beginning of the war he has been
among the most daring of French mil-
itary aviators. At Dunkirk three days
ago he shot down in the air the aviator
observer of a German aeroplane. He
went out against this machine alone
and as his machine was faster he
gained an advantage. He is a gradu-
ate of law of the University of Paris
and for a time practiced his profes-
sion. Among aviation records broken
by Garros was a flight Dec. 11, 1912,
when he ascended 19,922 feet and es-
tablished a world's altitude mark, and
a flight across the Mediterranean from
St. Raphael to Bizerta.

Paris Tells of Advances.

Paris, April 19.—Official: "British
yesterday captured in Belgium, near
Zwartelen, 200 yards of German
trenches. We have been successful on
both banks of the river Ficht, in Al-
sace, and our advance is being pressed
forward on the north bank. We gained
possession of the summit of Burg-
korf, southwest of Schilleker-
wasen, which directly commands the
valley on the south bank. In the re-
gion of Schneefantrich we made nota-
ble progress in direction of the Ficht
and Metzger, southwest of Colmar.
In this district we occupied a series
of elevations, the northernmost height
of which commands the court of the
Ficht in front of Burgkorf. In the
course of this action we captured a
division of mountain artillery. Ger-
man aeroplanes dropped four bombs
on Belfort, damaged two hangars and
set fire to four chests of powder. There
were no casualties nor any serious
damage."

PRINCIPALS IN POLITICAL LIBEL SUIT



William Barnes and Theodore Roosevelt.

STEEL STOCK
HOLDERS CRY
FOR DIVIDENDNew York, April 19.—Directors of
the United States Steel corporation, it
became known today, in voting at the
last quarterly meeting in January to
pass a dividend on common stock, did
so in the face of opposition of many
stockholders who thought a dividend
should be declared, even if the cor-
poration had to reduce the wages of
its great army of employees to obtain
money for the dividend. Chairman
Gary divulged this situation at the
stockholders' meeting at Hoboken to-
day.VON DER GOLTZ HEAD
OF TURKISH FORCESConstantinople, April 19.—Field
Marshal Van Der Goltz has been ap-
pointed commander-in-chief of the
First Turkish army. He recently re-
turned to Constantinople from a trip
to Berlin the object of which is re-
ported to have been to urge the Ger-
man government to send an army to
attack Serbia.

\$35,000,000 NEW WAR CONTRACTS

Huge Deal for Europe Munitions
Closed by Wireless.Pittsburgh, Pa., April 19.—Authen-
tic orders have been received here for
war material which will aggregate
\$35,000,000. T. M. Latimer, a local
broker, Saturday received a wireless
message from London confirming the
order. The deal was closed through
the Empire Trust company of New
York. According to Mr. Latimer, part
of the money will be spent on sup-
plies other than ordnance.The work of getting ready to start
on the \$20,000,000 shrapnel contract
which the Westinghouse Air Brake
company at Wilmerding has closed
with the French government is pro-
gressing rapidly. As a result of the
big war order, most of which goes to
the Crucible Steel company stock in
that company advanced almost five
points Saturday.Columbus, Ohio, April 19.—Because
it did not care to participate in the
manufacture of death-dealing instru-
ments of war, the Jeffrey Manu-
facturing company turned down an or-
der to machine and finish 7,000 shrap-
nel shells a day to a Canadian firm.
The amount of the contract involved
is \$4,000,000.VON LINDEQUIST OF
GERMAN ARMY DEADLondon, April 19.—The death of
General Field Marshal Oskar von Lin-
dequist is announced in Berlin, says
an Amsterdam dispatch. He was a
lieutenant at the age of 19, partici-
pated in the Danish campaign in 1864,
was in the war against Austria in 1866,
and in the war of 1870 was present at
Sedan and in the siege of Paris.PAIR BOMB MAKERS
SENT TO SING SINGNew York, April 19.—Frank Aharno
and Carmine Carbone, anarchists who
made and set a bomb in St. Patrick's
cathedral March 2, when hundreds of
worshippers were within the edifice,
today were sentenced to serve not
less than six years nor more than 12
in Sing Sing.

THE WEATHER

Forecast Till 7 P. M. Tomorrow, for
Rock Island, Davenport, Moline
and Vicinity.Generally fair tonight and Tuesday;
probably cooler Tuesday.
Temperature at 7 a. m., 57. Highest
yesterday, 81. Lowest last night, 56.
Velocity of wind at 7 a. m., 6 miles
per hour.
Precipitation, none.
Relative humidity at 7 p. m., 36; at
7 a. m., 75; at 1 p. m. today, 28.
State of water, 82; a rise of .5 in
last 48 hours.
J. M. SHERIER, Local Forecaster.

ASTRONOMICAL EVENTS.

Evening stars: Mars, Saturn. Morn-
ing stars: Venus, Mercury, Jupiter.
Planet Saturn in conjunction with the
moon 9:23 p. m.

BRITISH SUBMARINE DESTROYED

Is Sunk by Turkish Fire in the Dar-
danelles.—Seven Missing.Constantinople, April 19.—(By way
of Berlin and London.)—The following
official statement was issued by the
war office:"The British submarine E-15 has
been sunk in the Dardanelles east of
Kassalik. Three officers and 21 men
of the crew of 21 were rescued by the
Turks. Among them was the former
British vice consul at Dardanelles."The British trawler Vanilla has
been sunk by a German submarine, ac-
cording to a report of its skipper.

BRAZIL JOINS IN CONFERENCE

Other Nations Notify Secretary Mc-
Adoo Delegates Will Come.Washington, D. C., April 19.—Secre-
tary of the Treasury McAdoo was
advised yesterday of the appointment
of the following delegates to the pan-
American financial conference to be
held here, beginning May 24:
Brazil—Dr. Amaro Cavalcanti,
Bolívia—Ignacio Calderon, minister
to Washington, and Adolfo Ballivian,
consul general at New York.
Venezuela—Pedro Rafael Rincónes,
consul general at New York.
Dominican Republic—Francisco J.
Peñabaz, former minister to Wash-
ington, and Dr. Enrique Jimenez, min-
ister to the United States.Eighteen of the Latin-American na-
tions have formally accepted invita-
tions to attend the conference.

MERELY TRYING TO SAVE VESSEL

Commander Irwin, of the New Or-
leans, Explodes Rumor.Washington, April 19.—Commander
Noble Irwin, of the cruiser New Or-
leans, reported to the navy depart-
ment yesterday that he had investi-
gated the Japanese naval activity in
Turtle bay, lower California, and
found no indications of other than
salvage work on the stranded cruiser
Asama.The commander's report was sent
by wireless to Admiral Howard, com-
manding the Pacific fleet, who tele-
graphed it to Secretary Daniels, as
follows:
"The Asama still aground in San
Francisco bay. Only other vessel
present one repair ship and two col-
liers. No indications of other than
salvage work."Japan has ordered all warships in
the Pacific waters near American
coasts, except those salvaging the
wrecked cruiser Asama, in Turtle bay,
to return to home stations.

Stock Market Still Hums.

New York, April 19.—Trading on
the stock exchange up to noon approx-
imately 800,000 shares. United
States steel supplying the major por-
tion.STATE BOARD
MAY PUT END
TO BIG STRIKEChicago, Ill., April 19.—Commit-
tees to meet with the state board of
arbitration were appointed today by
the Carpenters' union, 16,000 members
of which are on strike, and the Con-
tractors' association. The board be-
gan sessions today. It cannot com-
pel an adjustment of the difficulties unless
it is delegated the power by the parties
at issue. In appealing for the ap-
pointment of these committees the ar-
bitration board referred to the strike
as a calamity which would cost the
city of Chicago \$100,000,000 of building construction in Chicago.BOY ADMITS CHARGE
OF ASTOR THREATSNew York, April 19.—John Meriella,
19, pleaded guilty to the charge of at-
tempted extortion in having written
two letters to Vincent Astor demand-
ing \$500 under penalty of death. He
also pleaded guilty to a charge of
carrying concealed weapons. He was
held in \$2,500 bail on each charge for
the grand jury.

DIVER HAD NARROW ESCAPE

Working on Sunken Submarine Be-
comes Entangled in Lines.Washington, April 19.—Diver Wil-
liam F. Loughman, who became en-
tangled in the lines attached to the
sunken submarine F-4 Saturday,
while working under 220 feet of water
in Honolulu harbor, has been rescued
safely and is unharmed by his trying
experience.Rear Admiral Moore called the
navy department last night the news
of Loughman's release. Heroic ef-
forts, lasting four hours, by comrades
who went to his assistance saved the
diver."The lines attached to the F-4 seem
clear," Admiral Moore's message said.
"Three lines have been placed for-
ward and secured to pontoons."

GIRL IS BIG WINNER IN STOCKS

Brooklynite Makes \$100,000 in Bethle-
hem Steel Trading.New York, April 19.—Gertrude Mc-
Cauley of Brooklyn has made \$100,000
in the recent movement of Bethlehem
Steel. She says stock operations are
"nothing new" to her, because she has
been in the market for three years.ROBERTS BEHIND
GATES OF PRISONTerre Haute Mayor and 11 Others
are Delivered at Fort Leaven-
worth, Kansas.Kansas City, April 19.—A special
car carrying Mayor Roberts and 14
others convicted in the Terre Haute
election frauds conspiracy case ar-
rived here at 7:30 this morning, en-
route to the United States peniten-
tiary at Leavenworth. The party
spent an hour here.
The convicted men arrived at
Leavenworth penitentiary at 10:33.OPEN BARNES
SUIT TO GET
TEDDY'S COINCrowds Storm Syracuse
Court House to Hear
Libel Case.

\$50,000 SUM WANTED

Former President and New
York Boss Sit Back to
Back as Lawyers Talk.Syracuse, N. Y., April 19.—Prospect
of witnessing the trial of the \$50,000
libel suit brought by William Barnes
against Theodore Roosevelt drew a
great crowd to the court house here
today before even the first of the
special panel of 75 talesmen appeared.After lawyers, talesmen and report-
ers had selected their accommodations
there was room for less than fifty
spectators. Most elaborate prepara-
tions were made to handle the crowd
at the court house. The courtroom
itself practically has been isolated
from the rest of the building by board-
ing up the corridors approaching it.
In these partitions small doors have
been cut. Fifty deputy sheriffs and
policemen were on hand to preserve
order. Both Barnes and Roosevelt
were present.Talesmen were questioned by Wil-
liam L. Barnum of Syracuse, attorney
for Barnes. He wanted to know
whether the "political prominence"
heretofore of either or both prin-
ciples would affect the decision of pos-
sible jurors. He also asked talesmen
whether they believed a man in politics
might be libelled just as any
other citizen. The fact that the de-
fendant had been president of the
United States and governor of New
York also was dwelt upon by the at-
torney in framing inquiries.Barnes was seated at the counsel's
table. Roosevelt was sitting with his
back toward his opponent.

Six Peremptory Challenges Each.

Each side was allowed six perem-
ptory challenges. It was planned to
have Barnum examine 12 men, then
allow counsel for Roosevelt to ques-
tion them. Once during the question-
ing, Barnes, who had changed his seat,
swung around in his chair and gazed
at Roosevelt fully two minutes, then
swung back to the table and wrote a
memorandum on a pad. The colonel,
seated at his counsel's table, seemed
intensely interested in the answers
given by talesmen.Twelve men satisfactory to Barnes
counsel were selected during the fore-
noon. Roosevelt's lawyers began ex-
amination of prospective jurors this
afternoon.TUMULTY RIDICULE
FOR M'COMBE'S TALEWashington, D. C., April 19.—"The
story in the morning papers of Wil-
liam F. McCombe's resignation and my
election to succeed him as chairman
of the national democratic committee
is made out of whole cloth for the
purpose of creating discord in the ranks
of the party," said Secretary Tumulty
at the White house today.

IN TERRIOR OF THE MUSSULMEN

U. S. Is Asked to Send Cruiser Ten-
nessee as Protection.Syracuse, Sicily, via Paris, April 19.
—Travelers arriving here from Asia
Minor say that the situation in
Smyrna is terrible. They state that
bands of Mussulman brigands are
committing all kinds of outrages, kill-
ing and taking hostages, pillaging and
burning property. The people bring-
ing this report state that the Euro-
peans in Smyrna urgently ask the as-
sistance of the United States cruiser
Tennessee, now in eastern waters, or
any other force or influence which
America can exercise.

SAVES TWO WITH FISHING POLE

Woman "Fishes Out" Children Carried
Over Dam in River.Ottawa, Kan., April 19.—Mrs. Fred
Osborn of Argentine, Kan., saved the
lives of two children with a fishing
pole near here. Mrs. Osborn while
fishing in the Marais des Cygnes river
saw an 8-year-old girl fall into the
water and carried over the dam. Mrs.
Osborn held the child's clothing with
her fishing pole and saved her. An
hour later a 9-year-old boy fell into
the river. Mrs. Osborn broke her pole
in an attempt to repeat her first per-
formance, but got another and rescued
the boy.

Illinois Doctor Acquitted.

Keokuk, Iowa, April 19.—Dr. George
E. Malley of Galesburg, Ill., was ac-
quitted on the charge of violating the
Mann white slave act by the federal
jury here Saturday.